



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

CIN: U40100KL2011SGC027424

Vydyuthi Bhavanam Pattom Thiruvananthapuram 695 004 Kerala India

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ABSTRACT

Filing Petition before KSERC seeking approval for the 350MW of contracted power under Bid-2 under DBFOO guidelines - Petition filing fee- Sanctioned - Orders issued.

Corporate Office (Commercial & Tariff)

Board order (FTD)No. 710 /2020(KSEB/TRAC/CG/DBFOO/2020-21/

dtd. 24 .11.2020

Read: 1. Common order of KSERC dated 14-8-2020 in RP 2/2020 and RP 4/2020.

2. Office order (DF)No.1224/2020(KSEB/CG/TRAC/SHR Jhabua/2019-20/

dtd.

22.9.2020

3. Note no.KSEB/TRAC/CG/DBFOO/2020-21 dtd. 30-10-2020 of the Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer. (Agenda No.30/11/2020)

ORDER

The KSERC while rejecting the fuel surcharge claim of KSEBL for the 350MW power contracted under DBFOO guidelines as per the order read as 1st above has ordered that the prayer of KSEBL to issue appropriate directions on the drawal of power contracted against these PSAs if KSERC is not inclined to pass on the liabilities of 350MW PSAs executed on DBFOO basis under Bid 2 is a new issue raised by KSEB Ltd, which was neither included nor deliberated in the original petitions OA 29/2019 and OA No. 02/2020 and therefore this prayer cannot be decided through Review Petitions filed by KSEB Ltd.

KSEBL as per the order read as 2nd above, had ordered to file a separate petition under section 86(1)(b) seeking specific orders with respect to continuance of drawal of the 350MW of contracted power under Bid-2 (Jindal Power Ltd-150MW, Jhabua Power Ltd.-100MW and Jindal India Thermal Power Ltd – 100MW) pending approval of PPA with these generators. Since the approval of PSA is a contractual and legal matter, it was also ordered to get the petition vetted by a legal expert. Sr.Adv. Rameshbabu, Hon'ble High Court who is an expert in PPA matters. It was further ordered that KSEBL may appraise the present matter before Government of Kerala (GoK) and seek approval of GoK again. It was also suggested that KSEBL may issue notice to the-generators that the monthly payments to them shall be limited based on the rate of BALCO as per the order of KSERC cited in the fuel surcharge orders.

The Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer placed the draft petition vetted by Sr.Adv.Ramesh Babu before Full Time Directors. It is also reported that as per KSERC (Conduct of Business)Regulations, 2014, an amount of Rs.10,000/- has to be filed as petition filing fee.

Having considered the matter in detail, the Full Time Directors in its meeting held on 4-11-2020 :

1. Resolved to approve the draft petition vetted by Sr. Adv.Ramesh Babu.
2. Further resolved to authorize the Deputy Secretary(Administration) to release Rs.10,000/- as petition filing fee in favour of The Secretary, Kerala State Electricity Regulatory Commission, Vellayambalam.

Orders are issued accordingly.

By order of Full Time Directors,

Sd/

Lekha G.

Company Secretary

To

The Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer

Copy to: DCE(TRAC), PA to Director (Finance) FCA to Secretary (Administration), Stock file,Library

Forwarded by order


Asst: Exe.Engineer